



Connecticut Business & Industry Association

**Testimony of Kia F. Murrell
Assistant Counsel, CBIA
Before the Committee on Labor and Public Employees
February 17, 2009**

S.B. 805 AAC Whistleblower Protection

I am Kia Murrell, Assistant Counsel at the Connecticut Business and Industry Association (CBIA) which represents the interests of more than 10,000 companies across the state, the vast majority of which are businesses of 50 or fewer employees.

CBIA opposes *S.B. 805 AAC The Protection of Whistleblowers* and its expansion of certain whistleblower protections to employees of large state contractors because we believe that this type of legislation will could increase labor costs and administrative burdens for employers by encouraging frivolous whistleblower actions.

Specifically, *Section 1(b)(5) places an unnecessary burden on employers seeking to make legitimate, non-retaliatory personnel decisions* because it extends the rebuttable presumption for whistleblower actions from one to three years. If any personnel action taken by an employer within 3 years of a whistleblower action is presumed to be in retaliation for that action, then employers will be forced to either forgo or seriously delay necessary employment decisions for fear of implicating the whistleblower statute. In cases where a negative employment decision is made, even if it is sufficiently supported by paperwork and other evidence, the employer may still be forced to spend significant time, effort and expense defending against a whistleblower retaliation claim.

Several Connecticut statutes already contain whistleblower protections, but few go as far as *S.B. 805*. In fact, many of the other whistleblower statutes do not provide rebuttable presumptions for whistleblower retaliation at all, but rather only grants the right to an administrative hearing or civil action. *The various existing whistleblower laws are sufficient to protect whistleblower employees.*

For the aforementioned reasons, CBIA urges the committee to ***Reject SB 805.***